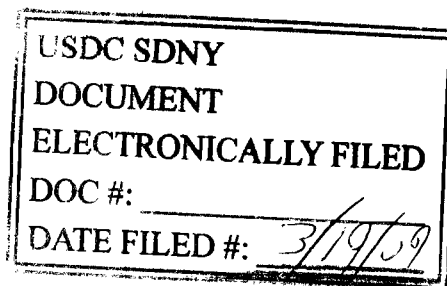


United States District Court
Southern District of New York



-----X
THOMAS O'HARA ARCHITECT, PLLC,
et al.

Plaintiffs

against

07 Civ. 11224 (LAK)
Docket Number

EXTELL WEST 45th STREET LLC,
et al.,

Defendants

-----X

This cause having duly come on to be heard before me and the attorneys for all parties having appeared and advised the Court that all claims asserted herein have been settled, it is

on the files set forth on the record,

ORDERED that the above entitled action be and hereby is discontinued with prejudice and without costs to either side.

DATED: March 18, 2009

Hon. Lewis A. Kaplan, U.S.D.J.

I hereby consent to the entry of this proposed order:

Attorney for Plaintiff

DAVID J. PFEFFER

TAMBER HUNTER & DREW LLP

Attorney for Defendant

Y. DAVID SCHERER

MORRISON COHEN LLP

Note: Consent should be signed by the responsible Attorney for each side and not a firm name.

Attorney for Plaintiff

re: Counter-claims

GOGICK, BYRNE & O'NEILL, LLP